Attorney Docket No.: 102847-38

## DECLARATION AND POWER OF ATTORNEY FOR UNITED STATES LETTERS PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post-office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### DOUBLE CONFOCAL SCANNING MICROSCOPE

the specification of which

(check one)

- k is attached hereto.
- was filed on:

as Application No.:

and was amended on: (if applicable).

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at Nutter, McClennen & Fish, LLP, One International Place, Boston, MA 02110-2699, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, 1.56.

#### FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code '119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

(check one)

- 9 no such foreign applications have been filed.
- such foreign applications have been filed as follows:

# EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC 119
Germany	DE 100 18 256.9-42	13 April 2000	_x_ Yes No
			Yes No
			Yes No
			Yes No
			Yes No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### I hereby appoint:

Ronald E. Cahill	Reg. No.	38,403	Reza Mollaaghababa	Reg. No.	43,810
Maria M. Eliseeva	Reg. No.	43,328	Tram Anh T. Nguyen	Reg. No.	47,257
Thomas J. Engellenner	Reg. No.	28,711	David J. Powsner	Reg. No.	31,868
Michael I. Falkoff	Reg. No.	30,833	Richard J. Roos	Reg. No.	45,053
William C. Geary III	Reg. No.	31,359	Lisa J. Michaud	Reg. No.	44,238

all of Nutter McClennen & Fish, LLP, One International Place, Boston, Massachusetts 02110-2699, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Please mail correspondence to: Maria M. Eliseeva at Customer Number 021125, whose address is:

Nutter McClennen & Fish, LLP One International Place Boston, Massachusetts 02110-2699

Please direct telephone calls to: Maria M. Eliseeva at (617) 439-2804.

Please direct facsimiles to: (617) 310-9804

Full name of first/joint inventor  Dr. Johann Engelhardt				
Inventor's Signature Tolan Cyper	Date 03/27/01			
Residence Schießmauerweg 6, 76669 Bad Schönborn, Germany				
Country of Citizenship Germany				
Post Office Address (required) same as above				

Full name of third/joint inventor  Br. Jörg Bewersdorf	
Inventor's Signature	Date 93 / 27 / 01
Residence Mühltalstraße 90, 69121 Heidelberg, Germany	
Country of Citizenship Germany	
Post Office Address (required) same as above	

Full name of third/joint inventor

Hilmar Gugel

Inventor's Signature

Date

04/02/01

Residence

Konrad-Adenauer-Straße 23b, 69221 Germany

Country of Citizenship

Germany

Post Office Address (required)

same as above

Full name of third/joint inventor  Dr. Juergen Hoffmann	
Inventor's Signature 7 /4//	Date 03/16/01
Residence Bierstadter Hoehe 63, 65191 Wiesbaden, Germany	
Country of Citizenship Germany	
Post Office Address (required) same as above	

971886.1